

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MOHAMMED KOSHANI,	:	
Petitioner	:	
	:	
vs.	:	CIVIL NO. 1:CV-05-2626
		(Caldwell, J.)
THOMAS HOGAN, Warden, York	:	(Mannion, M.J.)
Prison, THOMAS DECKER, Deputy		
Field Office Director,	:	
Department of Homeland Security,		
& MICHAEL CHERTOFF, Secretary	:	
of Homeland Security,		
Respondents	:	

O R D E R

AND NOW, this 13th day of December, 2006, upon consideration of the report and recommendation of Magistrate Judge Mannion, to which no objections have been filed, and upon review of the proceeding, it is Ordered that the report is approved.

Pursuant to the recommendation of Judge Mannion it is also Ordered as follows:

1. The petitioner's petition for writ of habeas corpus is granted.
2. Within fifteen days hereof the respondents are ordered to release the relator to supervision in accordance with 8 U.S.C. § 1231(a)(3) and its implementing regulations at 8 C.F.R. § 241.5, until such time as the ICE has obtained a travel document and can actually remove the relator.

3. The Clerk of Court shall close this file.

/s/William W. Caldwell
William W. Caldwell
United States District Judge